

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA

v.

Criminal No. 3:09cr133

RODNEY LORENZO WAYTT, JR.

ORDER

Before the Court is the defendant's MOTION FOR COMPASSIONATE RELEASE PURSUANT TO SECTION 603(b) OF THE FIRST STEP ACT (ECF No. 113). It is hereby ORDERED that:

(1) Within fifteen (15) days from the filing date of the Motion for Compassionate Release or the Motion to Withdraw, the United States Probation Office is directed to file its position on the defendant's Motion for Compassionate Release. The Probation Office's time for responding is measured from the filing of the defendant's Motion for Compassionate Release or Motion to Withdraw. In all instances the Probation Office shall state whether it believes the Motion for Compassionate Relief should be granted or denied; and

(2) Within fifteen (15) days of the filing of defendant's Motion for Compassionate Release or the Motion to Withdraw, the United States Attorney's Office shall file its response and explain its position regarding the defendant's motion and requested relief. The United States' time for responding is measured from

the filing of the defendant's Motion for Compassionate Release or Motion to Withdraw. In all instances the United States shall file a response stating whether it believes the Motion for Compassionate Release should be granted or denied and explain the grounds for its position. The response must further provide the following information:

- a. The defendant's currently-projected date of release;
- b. Status of the defendant's educational and vocational training, if any;
- c. Status of any treatment for substance abuse or physical or mental health;
- d. The defendant's post-sentencing conduct, including the defendant's compliance with the rules of the institution(s) in which the defendant has been incarcerated; and
- e. Any relevant considerations of public safety.

Additionally, if the Motion for Compassionate Release is not opposed, the United States shall promptly contact the United States Probation Office, Richmond Division and notify it of this fact so that the Probation Office may make the appropriate arrangements.

(3) If the defendant disagrees with the response of the United States, the defendant shall file a reply to the United States' response within five (5) days of the date that the response is filed.

The Clerk is directed to send a copy of this Order to all counsel of record, to the United States Probation Office, Richmond Division, and to the defendant.

It is so ORDERED.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: May 21, 2020